



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 99,576-A)

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PATENT

In the Application of:

Mohammad S. Nasir and
Michael E. Jolley

Serial No.: 09/903,061

Filed: July 11, 2001

For: Fluorescence Polarization-Based
Homogeneous Assay For Deoxynivalenol
In Grains

Examiner: Deborah A. Davis

Art Unit: 1641

Commissioner for Patents
Washington, D.C. 20231

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RESPONSE TO OFFICE ACTION MAILED OCTOBER 17, 2002

Dear Examiner:

In response to the Office Action mailed October 17, 2002, please consider the following remarks.

REMARKS

In the Office Action mailed October 17, 2002, the Examiner rejected claims 1, 4-6, and 9-11 under 35 U.S.C. 103(a) as being unpatentable over Nasir et al., *Combinatorial Chemistry & High Throughput Screening* ("Nasir") in view of Pestka et al., *Food Technology* ("Pestka"), rejected claims 2 and 7 under 35 U.S.C. 103(a) as being unpatentable over Nasir, in view of Pestka, and further in view of Michel et al., U.S. Patent No. 5,741,654 ("Michel"), and rejected



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TRANSMITTAL LETTER

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:

- a) Response to Office Action Mailed October 17, 2002
- b) Return Receipt Postcard

2. With respect to fees:

- a) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.

3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.10: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as Express Mail Service, EV214220673, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this 17th day of January, 2003.

Respectfully submitted,

Date: January 17, 2003

Richard A. Machonkin
Richard A. Machonkin
Registration No. 41,962

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